$/FW

Dkt. 0575/51917-CA-PCT-US/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	David J. Pinsky, et al.	
U.S. Serial No.:		10/679,135	Examiner: John Pak
Filed	:	October 3, 2003	Art Unit: 1616
For	:	A METHOD FOR TREATING ISCHEMIC DISORDER USING CARBON MONOXIDE	

1185 Avenue of the Americas
New York, New York 10036
June 26, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants note that the above-identified application is currently involved in Patent Interference No. 105,619 McK where applicants have been designated the senior party. Applicants also note that this Supplemental Information Disclosure Statement is being filed further to a May 16, 2008 telephone conference between Ms. Maria Vignone of the Board of Patent Appeals and Interferences and Brian Amos, an associate in the undersigned's law firm, during which Ms. Vignone indicated to Mr. Amos that (1) Senior Administrative Patent Judge McKelvey had granted applicants permission to file this Supplemental Information Disclosure Statement (SIDS) and (2) this SIDS should be filed with the United States Patent and Trademark Office using the normal procedure and filed in connection with Patent Interference No. 105,619 McK and served on counsel for the opposing parties in the interference. Accordingly, applicants note that a copy of this SIDS is also being filed with the Board and being served on counsel for the opposing parties in Patent Interference No. 105,619 McK.

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following items, which are listed on the Substitute Form PTO-1449 attached hereto as **Exhibit A**. Copies of items 33-257 listed below are attached hereto as **Exhibits 1-225,** respectively. Applicants note that items 3-22, 27-32, 36-37, 39-44 and 63-257 listed below were disclosed or cited in connection with U.S. Patent 7,238,469 issued July 3, 2007 to Bach et al., which is the patent involved in above-referenced Patent Interference No. 105,619 McK. Items 1 to 32 listed below are U.S. Patents or U.S. Patent Application Publications. In accordance with 37 C.F.R. §1.98(a)(2)(ii), no copies of items 1 to 32 are attached hereto.

1. U.S. Patent No. 4,711,848 issued December 8, 1987 to Insley et al.;
2. U.S. Patent No. 5,807,980 issued September 15, 1998 to Lasters et al.;
3. U.S. Patent No. 4,053,590 issued October 11, 1977 to Bonsen et al.;
4. U.S. Patent No. 4,264,739 issued April 28, 1981 to Grabner et al.;
5. U.S. Patent No. 4,923,817 issued May 8, 1990 to Mundt;
6. U.S. Patent No. 5,084,380 issued January 28, 1992 to Carney;
7. U.S. Patent No. 5,180,366 issued January 19, 1993 to Woods;
8. U.S. Patent No. 5,240,912 issued August 31, 1993 to Todaro;
9. U.S. Patent No. 5,293,875 issued March 15, 1994 to Stone;
10. U.S. Patent No. 5,449,665 issued September 12, 1995 to Sollevi.;

11. U.S. Patent No. 5,476,764 issued December 19, 1995 to Bitensky;
12. U.S. Patent No. 5,664,563 issued September 9, 1997 to Schroeder et al.;
13. U.S. Patent No. 5,731,326 issued March 24, 1998 to Hart et al.;
14. U.S. Patent No. 5,763,431 issued June 9, 1998 to Jackson;
15. U.S. Patent No. 5,792,325 issued August 11, 1998 to Richardson, Jr.;
16. U.S. Patent No. 5,885,621 issued March 23, 1999 to Head et al.;
17. U.S. Patent No. 5,914,316 issued June 2, 1999 to Brown et al.;
18. U.S. Patent No. 6,066,333 issued May 23, 2000 to Willis et al.;
19. U.S. Patent No. 6,069,132 issued May 30, 2000 to Revanker et al.;
20. U.S. Patent No. 6,203,991 issued March 20, 2001 to Nabel et al.;
21. U.S. Patent No. 6,313,144 issued November 6, 2001 to McCullough et al.;
22. U.S. Patent No. 7,045,140 issued May 16, 2006 to Motterlini et al.;
23. U.S. Patent Application No. 2003-0039638 published February 27, 2003 to Bach et al.
24. U.S. Patent Publication Application No. 2006-0003922 published January 5, 2006 to Bach et al.
25. U.S. Patent Publication Application No. 2004-0131703 published July 8, 2004 to Bach et al.
26. U.S. Patent Publication Application No. 2002-0155166 published October 24, 2002 to Choi et al.

27. U.S. Patent Application No. 2003-0009127 published January 9, 2003 to Trescony et al.
28. U.S. Patent Application No. 2003-0064114 published April 3, 2003 to Motterlini et al.;
29. U.S. Patent Application No. 2003-0068387 published April 10, 2003 to Buelow et al.;
30. U.S. Patent Application No. 2004-0067261 published April 8, 2004 to Hass et al.;
31. U.S. Patent Application No. 2004-0197271 published October 17, 2004 to Kunka et al.;
32. U.S. Patent Publication Application No. 2005-0250688 published November 10, 2005 to Pinsky et al.;
33. European Patent Publication No. EP 0 951 292 B1 published April 30, 2008 to Pinsky et al.; **(Exhibit 1)**
34. European Patent Publication No. EP 1 829 550 A3 published April 30, 2008 to Pinsky et al.; **(Exhibit 2)**
35. European Patent Publication No. EP 1 829 550 A2 published May 9, 2007 to Pinsky et al.; **(Exhibit 3)**
36. French Patent FR 2 816 212 issued May 2002 (and English translation thereof) to Lemaire et al.; **(Exhibit 4)**
37. Japanese Patent JP 56079957 issued June 30, 1981 including abstract; **(Exhibit 5)**
38. PCT International Publication No. WO 95/20400 published August 3, 1995 to Kennagi et al.; **(Exhibit 6)**
39. PCT International Publication No. WO 98/08523 published March 5, 1998 to Eschwey et al.; **(Exhibit 7)**
40. PCT International Publication No. WO 99/47512 published September 23, 1999 to Man et al.; **(Exhibit 8)**
41. PCT International Publication No. WO 02/09731 published February 7, 2002 to Lemaire et al.; **(Exhibit 9)**
42. PCT International Publication No. WO 02/078684 published October 10, 2002 to Buelow et al.; **(Exhibit 10)**

43. PCT International Publication No. WO 02/092075 published November 21, 2002 to Motterlini et al.; **(Exhibit 11)**

44. PCT International Publication No. WO 03/000114 published January 3, 2003 to Bach et al.; **(Exhibit 12)**

45. PCT International Application No. WO 95/35105 published December 28, 1995 to Herrmann et al.; **(Exhibit 13)**

46. PCT International Publication No. WO 94/22482 published October 13, 1994 to DiSorbo et al. **(Exhibit 14)**

47. Japanese International Publication No. JP 8-503617; **(Exhibit 15)**

48. Japanese International Publication No. JP 8-502242; **(Exhibit 16)**

49. PCT International Publication No. WO 95/21180 published August 10, 1995 to Abbas et al.; **(Exhibit 17)**

50. Product Use Sheet for 1,5-Dansyl-Glu-Gly-Arg Chloromethyl ketone from Calbiochem, revised May 27, 1997, one page; **(Exhibit 18)**

51. Skolnick et al. (2000) Trends in Biotechnology, Vol. 18, No. 1, pages 34-39; **(Exhibit 19)**

52. Toledo-Pereya (1991) Klin Wochenschr, Vol. 69, pages 1099-1104; **(Exhibit 20)**

53. Whisstock et al. (2003) Quarterly Reviews of Biophysics, Vol. 36, pages 307-340; **(Exhibit 21)**

54. International Search Report issued February 5, 1998 in connection with International Publication No. PCT/US97/17229; **(Exhibit 22)**

55. Communication forwarding Extended European Search Report and Search Opinion issued March 31, 2008 in connection with International Application No. 07006886.1; **(Exhibit 23)**

56. Advisory Action issued December 3, 2007 in connection with U.S. Serial No. 10/692,439; **(Exhibit 24)**
57. Final Office Action issued August 7, 2007 in connection with U.S. Serial No. 10/692,439; **(Exhibit 25)**
58. Office Action issued November 17, 2006 in connection with U.S. Serial No. 10/692,439; **(Exhibit 26)**
59. Office Action issued March 3, 2006 in connection with U.S. Serial No. 10/692,439; **(Exhibit 27)**
60. Office Action issued April 22, 2003 in connection with U.S. Serial No. 09/671,100; **(Exhibit 28)**
61. Office Action issued August 29, 2001 in connection with U.S. Serial No. 09/671,100; **(Exhibit 29)**
62. U.S. Serial No. 09/671,100 filed September 27, 2000, Pinsky et al.; **(Exhibit 30)**
63. Appel et al., "The pig as a source of cardiac xenografts," Journal of Cardiac Surgery 16 (5) : 345-56 (Sep. 2001) (Abstract); **(Exhibit 31)**
64. Mori et al., "Evaluation of hypothermic heart preservation with UW solution in heteoptopically and orthotopically transplanted canine hearts," J. Heart and Lung Transplantation 13 (4) : 688-95 (1994) (Abstract); **(Exhibit 32)**
65. Abidin et al., "The combined effect of carbon monoxide and normobaric hyperoxia on animals," Kosmicheskaya Biologiya I Aviakosmicheskaya Meditsina (1978), No. 6, 63-67; **(Exhibit 33)**
66. Arita et al., "Prevention of Primary Islet Isograft Nonfunction in Mice with Pravastatin," Transplantation, 65:1429-33, 1998; **(Exhibit 34)**

67. Arnush et al., "IL-1 Produced and Released Endogenously within Human Islets Inhibits .beta. Cell Function," J. Clin Invest. 702:516-26, 1998; **(Exhibit 35)**

68. Bach et al., "Accommodation of vascularized xenografts: Expression of "protective genes" by donor endothelial cells in a host Th2 cytokine environment," Nature Med. 3:196-202, 1997; **(Exhibit 36)**

69. Berney et al., "Islet cell transplantation: the future?" Langenbechs Arch. Surg. 385: 378-8, 2000; **(Exhibit 37)**

70. Bentley et al., "Successful cardiac transplantation with methanol or carbon monoxide-poisoned donors," Thorac Surg (2001), Apr.; 71(4):1194-7; **(Exhibit 38)**

71. Brouard et al., "Carbon monoxide generated by heme oxygenase-1 suppresses endothelial cell apoptosis," J Exp Med (2000), Oct. 2; 192(7):1015-26; **(Exhibit 39)**

72. Cantrell et al., "Low-Dose Carbon Monoxide Does Not Reduce Vasoconstriction in Isolated Rat Lungs," Experimental Lung Research 22:21-32, 1996; **(Exhibit 40)**

73. Cardell et al., "Bronchodilation in vivo by carbon monoxide, a cyclic GMP related messenger," British Journal of Pharmacology 124:1065-1068, 1998; **(Exhibit 41)**

74. Carlsson et al., "Measurement of Oxygen Tension in Native and Transplanted Rat Pancreatic Islets," Diabetes 47:1027-32, 1998; **(Exhibit 42)**

75. Cecil Textbook of Medicine (21st Ed. 2000), vol. 1, pp. 273-279, 357-372, 387-419, 425-427, 436-448, 466-475, 507-512, 1060-1074; **(Exhibit 43)**

76. Cecil Textbook of Medicine (21st Ed. 2000), vol. 2, pp. 1492-1499, 2042-2047, 2079-2081; **(Exhibit 44)**

77. Choi et al., "Heme oxygenase-1: Function, regulation, and implication of a novel stress-inducible protein in oxidant-induced lung injury," American Journal of

Respiratory Cell and Molecular Biology (1996), vol. 15, No. 1, 9-19; **(Exhibit 45)**

78. Christodoulides et al., "Vascular Smooth Muscle Cell Heme Oxygenases Generate Guanylyl Cyclase-Stimulatory Carbon Monoxide," Circulation 97:2306-9, 1995; **(Exhibit 46)**

79. Corbett et al., "Nitric oxide mediates cytokine-induced inhibition of insulin secretion by human islets of Langerhans," Proc. Natl. Acad. Sci USA 90:1731-5, 1993; **(Exhibit 47)**

80. Friebe et al., "YC-1 Potentiates Nitric Oxide- and Carbon Monoxide-Induced Cyclic GMP Effects in Human Platelets," Molecular Pharmacology 54(6)962-967, 1998; **(Exhibit 48)**

81. Gaine et al., "Induction of heme oxygenase-1 with hemoglobin depresses vasoreactivity in rat aorta," Vasc Res (1999), Mar.-Apr.; 36(2):114-9; **(Exhibit 49)**

82. Grau et al., "Effect of carbon monoxide breathing on hypoxia and radiation response in the SCCVII tumor in vivo," Int J Radiat Oncol Biol Phys (1994), Jun. 15; 29(3):449-54; **(Exhibit 50)**

83. Grau et al., "Influence of Carboxyhemoglobin Level on Tumor Growth, Blood Flow, and Radiation Response in an Experimental Model," Int. J. Radiation Oncology Biol. Phys. 22:421-424, 1992; **(Exhibit 51)**

84. Hantson et al., "Organ transplantation from victims of carbon monoxide poisoning," Ann Emerg Med (1996), May; 27(5):673-4; **(Exhibit 52)**

85. Hebert et al., "Transplantation of kidneys from a donor with carbon monoxide poisoning," New Engl J Med (1992), Jun. 4; 326(23):1571; **(Exhibit 53)**

86. Iberer et al., "Cardiac allograft harvesting after carbon monoxide poisoning. Report of a successful orthotopic

heart transplantation," J Heart Lung Transplant (1993), May-Jun.; 12(3):499-500; **(Exhibit 54)**

87. Kaufman et al., "Differential Roles of Mac-1.sup.+ Cells, and CD4.sup.+ and CD8.sup.+ T Lymphocytes in Primary Nonfunction and Classic Rejection of Islet Allografts," J Exp Med. 772:291-302, 1990; **(Exhibit 55)**

88. Koerner et al., "Extended donor criteria: use of cardiac allografts after carbon monoxide poisoning," Transplantation (1997), May 15; 63(9):1358-60; **(Exhibit 56)**

89. Lacy et al., "Transplantation of Pancreatic Islets," Annu. Rev. Immunol., 2:183-98, 1984; **(Exhibit 57)**

90. Lefer et al., "A comparison of vascular biological actions of carbon-monoxide and nitric-oxide," Methods and Findings in Experimental and Clinical Pharmacology (1993), vol. 15, No. 9, 617-622; **(Exhibit 58)**

91. Leikin et al., "The toxic patient as a potential organ donor," Am J Emerg Med (1994), Mar.; 12(2):151-4; **(Exhibit 59)**

92. Mandrup-Poulsen et al., "Human Tumor Necrosis Factor Potentiates Human Interleukin 1-Mediated Rat Pancreatic beta-Cell Cytotoxicity," J. Immunol. 739:4077-82, 1987; **(Exhibit 60)**

93. Mansouri et al., "Alteration of Platelet Aggregation by Cigarette Smoke and Carbon Monoxide," Thromb Haemost. 48:286-8, 1982; **(Exhibit 61)**

94. The Merck Manual (16th ed. 1992), pp. 646-657; **(Exhibit 62)**

95. Nagata et al., "Destruction of Islet Isografts by Severe Nonspecific Inflammation," Transplant Proc. 22:855-6, 1990; **(Exhibit 63)**

96. The New Encyclopedia Britannica (15th ed. 1994), vol. 26, Macropaedia, p. 756; **(Exhibit 64)**

97. Otterbein et al., "Carbon Monoxide has Anti-Inflammatory Effects Involving the Mitogen-Activated Protein Kinase Pathway," Nature Medicine 6(4):422-428, 2000; **(Exhibit 65)**

98. Otterbein et al., "Carbon Monoxide Provides Protection Against Hyperoxic Lung Injury," The American Physiological Society, L688-L694, 1999; **(Exhibit 66)**

99. Petrache et al., "Heme oxygenase-1 inhibits TNF-.alpha.-induced apoptosis in cultured fibroblasts," Am. J. Physiol. Lung Cell Mol. Physiol. 287: L312-L319, 2000; **(Exhibit 67)**

100. Pozzoli et al., "Carbon Monoxide as a Novel Neuroendocrine Modulator: Inhibition of Stimulated Corticotropin-Releasing Hormone Release from Acute Rat Hypothalamic Explants," Endocrinology 735:2314-2317, 1994; **(Exhibit 68)**

101. Rabinovitch et al., "Transfection of Human Pancreatic Islets With an Anti-Apoptotic Gene (bcl-2) Protects beta-Cells From Cytokine-Induced Destruction," Diabetes 48:1223-9, 1999; **(Exhibit 69)**

102. Ringel et al., "Carbon Monoxide-induced Parkinsonism," J. Neurol. Sci., 1972, 16:245-251; **(Exhibit 70)**

103. Roberts et al., "Successful heart transplantation from a victim of carbon monoxide poisoning," Ann Emerg Med (1995), Nov.; 26(5):652-5; **(Exhibit 71)**

104. Sato et al., "Carbon monoxide generated by heme oxygenase-1 suppresses the rejection of mouse to rat cardiac transplants," J. Immunol. 166: 4185-4194 (2001); **(Exhibit 72)**

105. Schipper et al., "Expression of heme oxygenase-1 in the senescent and Alzheimer-diseased brain," Annals of Neurology (1995), vol. 37, No. 6, 758-768; **(Exhibit 73)**

106. Shapiro et al., "Islet Transplantation in Seven Patients with Type 1 Diabetes Mellitus Using a Glucocorticoid-Free Immunosuppressive Regimen," N Engl. J. Med., 343:230-8, 2000; **(Exhibit 74)**

107. Shennib et al., "Successful transplantation of a lung allograft from a carbon monoxide-poisoning victim," Heart Lung Transplant (1992), Jan.-Feb.; 11(1 Pt 1): 68-71; **(Exhibit 75)**

108. Siow et al., "Heme oxygenase-carbon monoxide signaling pathway in atherosclerosis: anti-atherogenic actions of bilirubin and carbon monoxide?" Cardiovascular Research 41:385-394, 1999; **(Exhibit 76)**

109. Smith et al., "Successful heart transplantation with cardiac allografts exposed to carbon monoxide poisoning," Heart Lung Transplant (1992), Jul.-Aug.; 11(4 Pt. 1):698-700; **(Exhibit 77)**

110. Soares et al., "Expression of heme oxygenase-1 can determine cardiac xenograft survival," Nat Med. 4:1073-1077, 1998; **(Exhibit 78)**

111. Stephens, "Further Observations regarding Carbon Monoxide Gas as an Important Factor in the Causation of Industrial Cancer," The Medical Press and Circular, vol. CXXXVI, No. 4924, 283-288 (1933); **(Exhibit 79)**

112. Tenderich et al., "Hemodynamic follow-up of cardiac allografts from poisoned donors," Transplantation (1998), Nov. 15; 66(9): 1163-7; **(Exhibit 80)**

113. Tenhunen et al., "The Enzymatic Conversion of Heme to Bilirubin by Microsomal Heme Oxygenase," Proc Natl Acad Sci USA 61:748-755, 1968; **(Exhibit 81)**

114. Utz et al., "Carbon Monoxide Relaxes Ileal Smooth Muscle Through Activation of Guanylate Cyclase," Biochem Pharmacol. 47:1195-201, 1991; **(Exhibit 82)**

115. Vassalli et al., "Inhibition of hypoxic pulmonary vasoconstriction by carbon monoxide in dogs," Eur. Resp. J. (1998), 12, Suppl. 28, 237s; **(Exhibit 83)**

116. Verran et al., "Use of liver allografts from carbon monoxide poisoned cadaveric donors," Transplantation (1996), Nov. 27; 62(10):1514-5; **(Exhibit 84)**

117. Weir et al., "Scientific and Political Impediments to Successful Islet Transplantation," Diabetes 46:1247-56, 1997; **(Exhibit 85)**

118. Weir et al., "Islet Transplantation as a treatment for diabetes," J. Am. Optom. Assoc. 69:727-32, 2000; **(Exhibit 86)**

119. Yuan et al., "Evidence of increased endogenous carbon monoxide production in newborn rat endotoxicosis," Chinese Medical Sciences Journal (1997), vol. 12, No. 4, 212-215; **(Exhibit 87)**

120. Brown et al., "In vivo binding of carbon monoxide to cytochrome c oxidase in rat brain," American Physiological Society, pp. 604-610 (1990); **(Exhibit 88)**

121. Campbell, "Living At Very High Altitudes," The Lancet 1:370-373 (1930); **(Exhibit 89)**

122. Campbell, "The Effect of Carbon Monoxide and Other Agents Upon the Rate of Tumour Growth," J Pathology & Bacteriology 35:379-394 (1932); **(Exhibit 90)**

123. Campbell, "Cancer of Skin and Increase in Incidence of Primary Tumours of Lung in Mice Exposed to Dust Obtained from Tarred Roads," Brit. J Exper. Pathol. XV(5):24, 289-294 (1934); **(Exhibit 91)**

124. Chapman et al., "Exogenous Carbon Monoxide Attenuates Aeroallergen-induced Eosinophilic Inflammation in Mice," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 92)**

125. Chapman et al., "Carbon Monoxide Attenuates Aeroallergen-induced Inflammation in Mice," Am. J. Physiol. Lung Cell Mol Physiol. 281:L209-L216 (2001); **(Exhibit 93)**

126. Davidson et al., "Inflammatory Modulation and Wound Repair" J Investigative Dermatology xi-xii (2003); **(Exhibit 94)**

127. Dioum et al., "NPAS2: A Gas-Responsive Transaction Factor," Sciencexpress/www.sciencexpress.org/Nov. 21, 2002/pp. 1-6/10.1126/science.1078456; **(Exhibit 95)**

128. Donnelly et al., "Expression of Heme-Oxygenase in Human Airway Primary Epithelial Cells," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 96)**

129. Katori et al., "Heme Oxygenase-1 System in Organ Transplantation," Transplantation 74(7):905-912 (2002); **(Exhibit 97)**

130. Maxwell et al., "Studies in Cancer Chemotherapy: XI. The Effect of CO, HCN, and Pituitrin Upon Tumor Growth," Dept. of Cancer Research, Santa Barbara Cottage Hospital, pp. 270-282 (Jan. 30, 1933); **(Exhibit 98)**

131. Meilin et al., Effects of carbon monoxide on the brain may be mediated by nitric oxide, J Appl Physiol. 81(3):1078-83 (1996); **(Exhibit 99)**

132. Minamino et al., "Targeted expression of heme oxygenase-1 prevents the pulmonary inflammatory and vascular responses to hypoxia," PNAS 98(15):8798-8803 (2001); **(Exhibit 100)**

133. Myers, "Cirrhotic cardiomyopathy and liver transplantation," Liver Transpl 6(4 Suppl 1):S44-52 (2000); **(Exhibit 101)**

134. Otterbein et al., "Mechanism of hemoglobin-induced protection against endotoxemia in rats: a ferritin-independent pathway," Am J Physiol Lung Cell Mol Physiol 272:L268-275 (1997); **(Exhibit 102)**

135. Otterbein et al., "Carbon monoxide provides protection against hyperoxic lung injury in rats," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 103)**

136. Paredi et al., "Increased Carbon Monoxide in Exhaled Air of Cystic Fibrosis Patients," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 104)**

137. Piantadosi et al., "Production of Hydroxyl Radical in the Hippocampus After CO Hypoxia Hypoxia in the Rat," Free Radical Biol. & Med. 22(4):725-732 (1997); **(Exhibit 105)**

138. Singhal et al., "Effects of Normobaric Hyperoxia in a Rat Model of Focal Cerebral Ischemia-Reperfusion," J Cerebral Blood Flow & Medicine 22:861-868 (2002); **(Exhibit 106)**

139. Tamayo et al., "Carbon monoxide inhibits hypoxic pulmonary vasoconstriction in rats by a cGMP-independent mechanism," Pflugers Arch. 434(6):698-704 (1997); **(Exhibit 107)**

140. Taylor, "Anti-TNF Therapy for Rheumatoid Arthritis and Other Inflammatory Diseases," Molecular Biotechnology 19:153-168 (2001); **(Exhibit 108)**

141. Tulis et al., "Adenovirus-Mediated Heme Oxygenase-1 Gene Delivery Inhibits Injury-Induced Vascular Neointima Formation," Circulation 104:2710-2715 (2001); **(Exhibit 109)**

142. Wang et al., "Resurgence of carbon monoxide: an endogenous gaseous vasorelaxing factor," Can. J. Physiol. Pharmacol. 76:1-15 (1998); **(Exhibit 110)**

143. Welty et al., "Hyperoxic Lung Injury is Potentiated by SPC-Promotor Driven Expression of an HO-1 Transgene in Mice," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 111)**

144. Weng et al., "Transpulmonary HO-1 Gene Delivery in Neonatal Mice," J Respiratory Critical Care Med 159(3):A218 (1999); **(Exhibit 112)**

145. Carraway et al., "Induction of ferritin and heme oxygenase-1 by endotoxin in the lung," Am. J. Physiol. Lung Cell. Mol. Physiol. 275:L583-92 (1998); **(Exhibit 113)**

146. Choi, "Heme Oxygenase-1 Protects the Heart," Circulation Research 89:105-7 (2001); **(Exhibit 114)**

147. Clayton et al., "Inhaled carbon monoxide and hyperoxic lung injury in rats," Am. J. Physiol. Lung Cell Mol. Physiol. 281:L949-57 (2001); **(Exhibit 115)**

148. Hayes et al., "A Review of Modern Concepts of Healing of Cutaneous Wounds," J. Dermatol. Surg. Oncol. 3(2):188-93 (1977); **(Exhibit 116)**

149. Kyokane et al., "Carbon Monoxide From Heme Catabolism Protects Against Hepatobiliary Dysfunction in Endotoxin-Treated Rat Liver," Gastroenterology 120:1227-40 (2001); **(Exhibit 117)**

150. Lee et al., "Intestinal Motility and Absorption in Acute Carbon Monoxide Poisoning," Seoul J. Med. 15:95-105 (1974) (and an English translation thereof) **(Exhibit 118)**

151. Lee et al., "Regulation of Heme Oxygenase-1 Expression In Vivo and In Vitro in Hyperoxic Lung Injury," Am. J. Respir. Cell Biol. 14:556-568 (1996); **(Exhibit 119)**

152. Liu et al., "Carbon monoxide and nitric oxide suppress the hypoxic induction of vascular endothelial growth factor gene via the 5' enhancer," J. Biol. Chem. 273(24):15257-62 (1998); **(Exhibit 120)**

153. Nachar at al., "Low-Dose Inhaled Carbon Monoxide Reduces Pulmonary Vascular Resistance During Acute Hypoxemia in Adult Sheep," High Altitude Medicine & Biology 2:377-385 (2001); **(Exhibit 121)**

154. Nakao et al., "Immunomodulatory effects of inhaled carbon monoxide on rat syngeneic small bowel graft motility," Gut 52: 1278-85 (2003); **(Exhibit 122)**

155. Pannen et al., "Protective Role of Endogenous Carbon Monoxide in Hepatic Microcirculatory Dysfunction after Hemorrhagic Shock in Rats," J. Clin. Invest. 102:1220-1228 (1998); **(Exhibit 123)**

156. Peek et al., "Extracorporeal Membrane Oxygenation for Adult Respiratory Failure," Chest 112(3)759-64 (1997); **(Exhibit 124)**

157. Ringel et al., "Carbon Monoxide-induced Parkinsonism," J. neurol. Sci. 16:245-251 (1972); **(Exhibit 125)**

158. Zuckerbraun et al., "Carbon monoxide attenuated the development of necrotizing enterocolitis in an animal model," Surgical Infection Society 3:83 (2002); **(Exhibit 126)**

159. Sato et al., "Carbon monoxide can fully substitute Herne Oxygenase-1 in suppressing the rejection of mouse to rat cardiac transplants," Acta Haematologica, 103 (Suppl. 1):87, Abstract 348 (2000); **(Exhibit 127)**

160. Sato et al., "Heme oxygenase-1 or carbon monoxide prevents the inflammatory response associated with xenograft rejection," Acta Haematologica, 103 (Suppl. 1):87, Abstract 345 (2000); **(Exhibit 128)**

161. Toda et al., "Exogenous carbon monoxide protects endothelial cells against oxidant stress and improves graft function after lung transplantation," Circulation, 98(17):I265 (1998); **(Exhibit 129)**

162. Bach, "Heme oxygenase-1 as a protective gene," Wien. Klin. Wochenschr. 114(Suppl):4:1-3 (2002); **(Exhibit 130)**

163. Billiar, "The diverging roles of carbon monoxide and nitric oxide in resuscitated hemorrhagic shock," Crit. Care Med. 27:2842-3 (1999); **(Exhibit 131)**

164. Bracho et al., "Carbon Monoxide Protects against Organ Injury in Hemorrhagic Shock/Resuscitation," Journal of Surgical Research, 107:270, (2002), Abstract; **(Exhibit 132)**

165. Brouard et al., "Carbon monoxide generated by Heme Oxygenase-1 (HO-1) suppresses endothelial cell apoptosis via activation of the p38 mitogen activated protein kinase (MAPK) pathway," Acta Haematologica 103(Suppl 1):64, (2000), Abstract; **(Exhibit 133)**

166. Brouard et al., "Heme oxygenase-1-derived carbon monoxide requires the activation of transcription factor NF-kappa B to protect endothelial cells from tumor necrosis factor-alpha-mediated apoptosis," J. Biol. Chem., 277(20):17950-17961, (2002); **(Exhibit 134)**

167. Brouard et al., "Molecular mechanism underlying the anti-apoptotic effect of Heme oxygenase-1 derived carbon monoxide," Xenotransplantation, 8(Suppl 1): p22 (2001); **(Exhibit 135)**

168. Calabrese et al., "Carbon Monoxide (CO) Prevents Apoptotic Events Related to Ischemia/Reperfusion (IR) Injury in an hDAF Pig-to Primate Xenotransplantion Model," Xenotransplantation 10:488, (2003), Abstract; **(Exhibit 136)**

169. Carbon Monoxide Poisoning - Symptoms; http://my.webmd.com/hw/home.sub.-health/aa7304.asp;retrieved Jul. 11, 2005; **(Exhibit 137)**

170. Carbon Monoxide Poisoning - What Happens; http://my.webmd.com/hw/home.sub.-health/aa7326.aps;retrieved Jul. 11, 2005; **(Exhibit 138)**

171. Chapman and Choi, "Exhaled monoxides as a pulmonary function test: use of exhaled nitric oxide. and carbon monoxide," Clin. Chest Med. 22:817-836 (2001); **(Exhibit 139)**

172. Chin et al., "Transcriptional regulation of the HO-1 gene in cultured macrophages exposed to model airborne particulate matter," Am. J. Physiol. Lung Cell. Mol. Physiol., 284(3):L473-L480, (2003); **(Exhibit 140)**

173. Choi and Otterbein, "Emerging role of carbon monoxide in physiologic and pathophysiologic states," Antioxid. Redox Signal. 4:227-228 (2002); **(Exhibit 141)**

174. Cozzi et al., "Donor Preconditioning with Carbon Monoxide (CO) in Pig-to-Primate Xenotransplantation," Xenotransplantation 10:528, (2003), Abstract; **(Exhibit 142)**

175. Crapo et al., "Single-breath carbon monoxide diffusing capacity," Clin. Chest Med., 22:637-649, (2001); **(Exhibit 143)**

176. Deng et al., "Carbon Monoxide Potentiates Cerulein-Induced Pancreatitis in Chronic Alcohol-Fed Rats," Gastroenterology, 124(4):A618-19, (2003), Abstract; **(Exhibit 144)**

177. Dyck et al., "Carbon Monoxide (CO) Attenuates Lipopolysaccharide (LPS)-Induced Cytokine Expression of

IL-6," Acta Haematologica 103(Suppl 1):64, (2000), Abstract; **(Exhibit 145)**

178. Farrugia and Szurszewski, "Heme oxygenase, carbon monoxide, and interstitial cells of Cajal," Microsc. Res. Tech. 47:321-4, (1999); **(Exhibit 146)**

179. Gunther et al., "Carbon monoxide protects pancreatic beta-cells from apoptosis and improves islet function/survival after transplantation," Diabetes, 51(4):994-999, (2002); **(Exhibit 147)**

180. Hartsfield and Choi, "Mitogen activated protein kinase (MAPK) is modulated by both endogenous and exogenous carbon monoxide," FASEB Journal 12:A187, 1088, (1998), Abstract; **(Exhibit 148)**

181. Hartsfield et al., "Differential signaling pathways of HO-1 gene expression in pulmonary and systemic vascular cells," Am. J. Physiol., 277(6 Pt 1):L1133-L1141, (1999); **(Exhibit 149)**

182. Hartsfield et al., "Regulation of heme oxygenase-1 gene expression in vascular smooth muscle cells by nitric oxide," Am. J. Physiol., 273(5Pt 1):L980-988, (1997); **(Exhibit 150)**

183. Hartsfield, "Targeted Overexpression of Heme Oxygenase-1 (HO-1) Attenuates Hypoxia-Induced Right Ventricular Hypertrophy," FASEB Journal 13:A827, (1999), Abstract; **(Exhibit 151)**

184. Horvath et al., "Haemoxygenase-1 induction and exhaled markers of oxidative stress in lung diseases', summary of the ERS Research Seminar in Budapest, Hungary, Sep. 1999," Eur. Respir. J., 18(2):420-430, (2001); **(Exhibit 152)**

185. Huizinga Jan D., "Physiology and Pathophysiology of the Interstitial Cell of Cajal: From Bench to Bedside: II.

Gastric motility: lessons from mutant mice on slow waves and innervation," Am. J. Physiol. 281:1129-1134, (2001); **(Exhibit 153)**

186. Kozma et al., "Role of carbon monoxide in heme-induced vasodilation," Eur. J. Pharmacol., 323:R1-2 (1997); **(Exhibit 154)**

187. Moore et al., "Carbon Monoxide Protects against Intestinal Dysmotility Associated with Small Bowel Transplantation," Gastroenterology 122:A38, (2002), Abstract; **(Exhibit 155)**

188. Moore et al., "Carbon Monoxide Suppresses the Development of Ileus Associated with Surgical Manipulation of the Small Intestine," Gastroenterology 122:A61-A62, (2002), Abstract; **(Exhibit 156)**

189. Moore et al., "Pre-treatment with Low Concentration of Carbon Monoxide (250 to 75 ppm) for 3 hr prior to Laparotomy Protects Against Postoperative Ileus," Digestive Disease Week Abstracts and Intinerary Planner 2003: Abstract No. M1337 (2003); **(Exhibit 157)**

190. Morse et al., "Carbon monoxide-dependent signaling," Crit. Care Med., 30:S12-S17, (2001); **(Exhibit 158)**

191. Morse et al., "Suppression of inflammatory cytokine production by carbon monoxide involves the JNK pathway and AP-1," J. Biol. Chem., 278(39):36993-36998, (2003); **(Exhibit 159)**

192. Nakao et al., "Protective effect of carbon monoxide inhalation for cold-preserved small intestinal grafts," Surgery, 134:285-92, (2003); **(Exhibit 160)**

193. Ning et al., "TGF-betal stimulates HO-1 via the p38 mitogen-activated protein kinase in A549 pulmonary epithelial cells," Am. J. Physiol. Lung Cell. Mol. Physiol., 283(5):L1094-L1102, (2002); **(Exhibit 161)**

194. Otterbein et al., "Carbon Monoxide suppresses arteriosclerotic lesions associated with chronic graft rejection and with balloon injury," Nature Medicine 9:183-90 (2003); **(Exhibit 162)**

195. Otterbein et al., "Carbon monoxide at low concentrations induces growth arrest and modulates tumor growth in mice," Exp. Biol. Med., 228(5):633, (2003), Abstract; **(Exhibit 163)**

196. Otterbein et al., "Carbon Monoxide Inhibits TNF.alpha.-Induced Apoptosis and Cell Growth in Mouse Fibroblasts," American Journal of Respiratory and Critical Care Medicine 159(3 Suppl.):A285 (1999); **(Exhibit 164)**

197. Otterbein et al., "Carbon Monoxide Modulates Lipolysaccaride (LPS)-Induced Inflammatory Responses in vivo and in vitro," American Journal of Respiratory and Critical Care Medicine 159(3 Suppl.):A481 (1999); **(Exhibit 165)**

198. Otterbein et al., "Carbon Monoxide, A Gaseous Molecule with Anti-Inflammatory Properties," pp. 133-156 in Disease Markers in Exhaled Breath, Marczin et al., eds., Marcel Dekker, Inc., New York, (2003); **(Exhibit 166)**

199. Otterbein et al., "Carbon Monoxide Mediates Anti-Inflammatory Effects Via the P38 Mitogen Activated Protein Kinase Pathway," Acta Haematologica 103:64, (2000), Abstract; **(Exhibit 167)**

200. Otterbein et al., "Carbon Monoxide Protects Against Oxidant-Induced Lung Injury in Mice Via the p38 Mitogen Activated Protein Kinase Pathway," Acta Haematologica 103:83, (2000), Abstract; **(Exhibit 168)**

201. Otterbein et al., "Exogenous administration of heme oxygenase-1 by gene transfer provides protection against

hyperoxia-induced lung injury," J. Clin. Invest., 103(7):1047-1054, (1999); **(Exhibit 169)**

202. Otterbein et al., "Heme oxygenase: colors of defense against cellular stress," Am. J. Physiol. Lung Cell Mol. Physiol., 279(6):L1029-L1037, (2000); **(Exhibit 170)**

203. Otterbein et al., "Protective effects of heme oxygenase-1 in acute lung injury," Chest. 116:61S-63S, (1999); **(Exhibit 171)**

204. Otterbein, "Anti-Inflammatory Effects of Carbon Monoxide in the Lung," CRISP Data Base National Institute of Health; Doc. No. CRISP/2003HL071797-01A1, (2003); **(Exhibit 172)**

205. Otterbein, "Carbon monoxide: innovative anti-inflammatory properties of an age-old gas molecule," Antioxid. Redox Signal., 4:309-319, (2002); **(Exhibit 173)**

206. Pileggi et al., "Heme oxygenase-1 induction in islet cells results in protection from apoptosis and improved in vivo function after transplantation," Diabetes, 50(9):1983-1991, (2001); **(Exhibit 174)**

207. Ryter and Choi, "Heme Oxygenase-1: Molecular Mechanisms of Gene Expression in Oxygen-Related Stress," Antioxid. Redox Signal. 4:625-632, (2002); **(Exhibit 175)**

208. Ryter et al., "Heme oxygenase/carbon monoxide signaling pathways: Regulation and functional significance," Mol. Cell. Biochem., 234-235(1-2):249-263, (2002); **(Exhibit 176)**

209. Ryter et al., "Mitogen Activated Protein Kinase (MAPK) Pathway Regulates Heme Oxygenase-1 Gene Expression by Hypoxia in Vascular Cells," Exp. Biol. Med., 225(5):607, (2003), Abstract; **(Exhibit 177)**

210. Sarady et al., "Carbon monoxide modulates endotoxin-induced production of granulocyte macrophage colony-

stimulating factor in macrophages," Am. J. Respir. Cell. Mol. Biol., 27(6):739-745, (2002); **(Exhibit 178)**

211. Sarady et al., "Cytoprotection by heme oxygenase/CO in the lung," in Disease Markers in Exhaled Breath, Marczin and Yacoub, eds., IOS Press, 346:73-78, (2002); **(Exhibit 179)**

212. Sasidhar et al., "Exogenous Carbon Monoxide Attenuates Mitogen Activated Protein Kinase (MAPK) Activation in Rat Pulmonary Artery Endothelial Cells Exposed to Hypoxia," American Journal of Respiratory and Critical Care Medicine. 1999;159(3 Suppl.):A352; **(Exhibit 180)**

213. Sass et al., "Heme Oxygenase-1 Induction Prevents Apoptotic Liver Damage in Mice," Naunyn-Schmiedelberg's Archives of Pharmacology 367:R78, (2003); **(Exhibit 181)**

214. Sethi et al, "Differential modulation by exogenous carbon monoxide of TNF-alpha stimulated mitogen-activated protein kinases in rat pulmonary artery endothelial cells," Antioxid. Redox Signal., 4:241-8, (2002); **(Exhibit 182)**

215. Sethi et al., "Differential Effects of Exogenous Carbon Monoxide on TNF-alpha-Induced Mitogen Activated Protein (MAP) Kinase Signaling Pathway in Rat Pulmonary Artery Endothelial Cells," American Journal of Respiratory and Critical Care Medicine 159(3 Suppl.):A350 (1999); **(Exhibit 183)**

216. Seyfried et al., "HO-1 induction protects mice from Immune-mediated liver injury," Naunyn-Schmiedeberg's Archives of Pharmacology 367:R80 (2003); **(Exhibit 184)**

217. Slebos et al., "Heme oxygenase-1 and carbon monoxide in pulmonary medicine," Respir Res. 4(7):1-13, (2003); **(Exhibit 185)**

218. Soares et al., "Heme oxygenase-1, a protective gene that prevents the rejection of transplanted organs," Immunol. Rev. 184:275-285, (2001); **(Exhibit 186)**

219. Soares et al., "Modulation of endothelial cell apoptosis by heme oxygenase-1-derived carbon monoxide," Antioxid. Redox Signal., 4:321-329, (2002); **(Exhibit 187)**

220. Soares et al., "Heme Oxygenase-1 and/or Carbon Monoxide can Promote Organ Graft Survival," in Disease Markers in Exhaled Breath, Marczin and Yacoub, eds., IOS Press, 346:267-273, (2002); **(Exhibit 188)**

221. Song et al., "Carbon monoxide induces cytoprotection in rat orthotopic lung transplantation via anti-inflammatory and anti-apoptotic effects," Am. J. Pathol., 163(1):231-242, (2003); **(Exhibit 189)**

222. Song et al., "Carbon monoxide inhibits human airway smooth muscle cell proliferation via mitogen-activated protein kinase pathway," Am. J. Respir. Cell. Mol. Biol. 27(5):603-610, (2002); **(Exhibit 190)**

223. Song et al., "Regulation of IL-1beta-induced GM-CSF production in human airway smooth muscle cells by carbon monoxide," Am. J. Physiol. Lung Cell. Mol. Physiol., 284(1):L50-L56, (2003); **(Exhibit 191)**

224. Stupfel and Bouley, "Physiological and Biochemical Effects on Rats and Mice Exposed to Small Concentrations of Carbon Monoxide for Long Periods," Ann. N.Y. Acad. Sci. 174:343-368 (1970); **(Exhibit 192)**

225. Tobiasch et al., "Heme oxygenase-1 protects pancreatic beta cells from apoptosis caused by various stimuli," J. Investig. Med., 49:566-71, (2001); **(Exhibit 193)**

226. Yamashita et al., "Effects of HO-1 induction and carbon monoxide on cardiac transplantation in mice," Exp. Biol. Med., 228(5):616, (2003), Abstract; **(Exhibit 194)**

227. Zhang et al., "Carbon monoxide inhibition of apoptosis during ischemia-reperfusion lung injury is dependent on the p38 mitogen-activated protein kinase pathway and involves caspase 3," J. Biol. Chem., 278:(2):1248-1258, (2003); **(Exhibit 195)**

228. Zhang et al., "Mitogen-activated protein kinases regulate HO-1 gene transcription after ischemia-reperfusion lung injury," Am. J. Physiol. Lung Cell. Mol. Physiol., 283(4):L815-L829, (2002); **(Exhibit 196)**

229. Zhou et al., "Endogenous carbon monoxide and acute lung injury," Section of Respiratory System Foreign Medical Sciences 19:185-187 (1999) (and a translation thereof); **(Exhibit 197)**

230. Zuckerbraun and Billiar, "Heme oxygenase-1: a cellular Hercules" Hepatology, 37(4):742-744, (2003); **(Exhibit 198)**

231. Zuckerbraun et al., "Carbon monoxide inhibits intestinal inducible nitric oxide synthase production and ameliorates intestinal inflammation in experimental NEC," J. Amer. College of Surgeons 197:S50 (2003); **(Exhibit 199)**

232. Zuckerbraun et al., "Carbon Monoxide Protects Hepatocytes from TNF-alpha/Actinomycin D Induced Cell Death," Critical Care Medicine 29:A59 (2001); **(Exhibit 200)**

233. Choi et al., "Therapeutic carbon monoxide may be a reality soon," Am. J. Respir. Crit. Care Med., 171(11):1318-1319, (2005); **(Exhibit 201)**

234. Dolinay et al., "Inhaled carbon monoxide confers antiinflammatory effects against ventilator-induced lung injury," Am. J. Respir. Crit. Care Med. 170:613-620 (2004); **(Exhibit 202)**

235. Ryter et al., "Heme oxygenase-1/carbon monoxide: from basic science to therapeutic applications," Physiol. Rev. 86(2):583-650 (2006); **(Exhibit 203)**

236. Favory et al., "Myocardial Dysfunction and Potential Cardiac Hypoxia in Rats Induced by Carbon Monoxide Inhalation," Am. J. Respir. Crit. Care Med. 174:320-325 (2006); **(Exhibit 204)**

237. Mazzola et al., "Carbon monoxide pretreatment prevents respiratory derangement and ameliorates hyperacute endotoxic shock in pigs," FASEB J. 19:2045-2047 (2005); **(Exhibit 205)**

238. American Thoracic Society, "Single breath carbon monoxide diffusing capacity (transfer factor): recommendations for a standard technique," Am. Rev. Respir. Dis. 136: 1299-1307 (1987); **(Exhibit 206)**

239. American Thoracic Society, "Single breath carbon monoxide diffusing capacity (transfer factor): recommendations for a standard technique-1995 update," Am. J. Respir. Crit. Care. Med. 152: 2185-2198 (1995); **(Exhibit 207)**

240. Arcasoy et al., "Erythropoietin (EPO) Stimulates Angiogenesis In Vivo and Promotes Wound Healing," Blood 98: 822A-823A, Abstract (2001); **(Exhibit 208)**

241. Caplan et al., "Role of asphyxia and feeding in a neonatal rat model of necrotizing enterocolitis," Pediatr. Pathol., 14: 1017-1028 (1994); **(Exhibit 209)**

242. Czlonkowska et al., "Immune processes in the pathogenesis of Parkinson's disease - a potential role for microglia and nitric oxide," Med. Sci. Monit. 8:RA165-RA177 (2002); **(Exhibit 210)**

243. Goldberg and Schneider, "Similarities between the oxygen-sensing mechanisms regulating the expression of vascular

endothelial growth factor and erythropoietin," J. Biol. Chem. 269: 4355-359 (1994); **(Exhibit 211)**

244. Guo, "The Research Status of the Gas Messanger Molecules of Nitric Oxide and Carbon Monoxide in the Biomedicine Field," Practical Journal of Cardiac, Cerebral and Pulmonary Vascular Diseases vol. 8(2) (2000) (and an English translation thereof); **(Exhibit 212)**

245. Harmey and Bouchier-Hayes, "Vascular endothelial growth factor (VEGF), a survival factor for tumour cells: implications for anti-angiogenic therapy," Bioessays 24: 280-83 (2003); **(Exhibit 213)**

246. Josko, "Vascular endothelial growth factor (VEGF) and its effect on angiogenesis," Medical Science Monitor 6: 1047-52 (2000); **(Exhibit 214)**

247. Krause et al., "Recombinant human erythropoietin and VEGF have equal angiogenic potency: Investigation in a novel in vitro assay of human vascular tissues," European Heart J. 22: 154 Abstract (2001); **(Exhibit 215)**

248. Omaye, "Metabolic modulation of carbon monoxide toxicity," Toxicol. 180:139-150 (2002); **(Exhibit 216)**

249. Potter et al., "The inflammation-induced pathological chaperones ACT and apo-E are necessary catalysts of Alzheimer amyloid formation," Neurobiology of Aging 22:923-30 (2001); **(Exhibit 217)**

250. Shahin et al., "Carboxyhemoglobin in pediatric sepsis and the systematic inflammatory response syndrone," Clinical Intensive Care 11(6): 311-17 (2000); **(Exhibit 218)**

251. Stewart, "The effect of carbon monoxide on humans," J. Occup. Med. 18: 304-309 (1976); **(Exhibit 219)**

252. Stewart, "The effects of low concentrations of carbon monoxide in man," Scand. J. redpir. Dis. Suppl. 91: 56-62 (1974); **(Exhibit 220)**

253. Thiemermann "Inhaled Co: deadline gas or novel therapeutic?" Nature Medicine 7(5): 534-35 (2001); **(Exhibit 221)**

254. Vreman et al., "Carbon monoxide and carboxyhemoglobin," Adv. Pediatr. 42: 303-34 (1995); **(Exhibit 222)**

255. Wright and Shephard, "Physiological effects of carbon monoxide," Int. Rev. Physiol. 20: 311-68 (1979); **(Exhibit 223)**

256. Zegdi et al., "Increased endogenous CO production in severe sepsis," Intensive Care Medicine 23: 793-96 (2002); **(Exhibit 224)**

257. Zuckerbraun et al., "Carbon Monoxide protects against Liver Failure through Nitric Oxide-induced Heme Oxygenase 1," J. Exp. Med. 198: 1707-716 (2003); **(Exhibit 225)**

This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(c)(2). Accordingly, applicants enclose a check in the amount of ONE HUNDRED AND EIGHTY DOLLARS ($180.00) for filing this Supplemental Information Disclosure Statement.

The Examiner is respectfully requested to consider and make of record the above-listed items by initialing and returning to applicants' undersigned counsel a copy of the enclosed Substitute Form PTO 1449.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed $180.00 fee for submitting this Supplemental Information Disclosure Statement, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

6/26/08

John P. White — Date
Reg. No. 28,678